

REMARKS

Claim Rejections

Claims 1, 2, 11-13, 15, and 16 are rejected under 35 U.S.C. § 102(b) as being anticipated by Fujita (US 5,974,083). Claims 3-10 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujita in view of Kim et al. (US Pub. 2003/0072397).

Drawings

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable as filed.

New Claims

By this Amendment, Applicant has canceled claims 3 and 14, amended claims 1, 4-10, and 13, and added new claims 17-19 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The primary reference to cited prior art reference, Fujita, teaches SPREAD SPECTRUM SIGNAL RECEPTION APPARATUS for receiving a code division multiplex signal, which controls the amplifying ratio of an amplifier, by utilizing the peak of a correlator output as an automatic gain control voltage.

However, *Fujita fails to teach a detector is utilized to detect a time interval between frames and a processor for controlling gain control system with frame information.* Although the examiner pointed that the secondary reference to Kim et al. teach a detector, element number 60; the examiner assumes the detectors in the present invention and the cited prior art are the same.

In the present invention, the detector detects a time interval between two contiguous frames in the RF signal to generate a detection information, and the detected time interval corresponds to a Short Inter-Frame Space (SIFS), which is

the focus of the present invention. In contrast, the detector of Kim et al. is disclosed to detect the levels of the outputs from ADCs, respectively, and generates a digital gain control signal only (Paragraph 42 of Kim et al.). ***Kim et al. fails to teach it detects the Short Inter-Frame Space (SIFS) in a received signal and to retrieve therein the background noises of a communication environment for enabling a signal receiver to control the noises under a specific level while adjusting its gain value.***

In addition, in the present invention, the first processor is coupled to the detector and the noise-sampling device, for generating a noise-sampling instruction according to the detection information to retrieve the noise information from the RF signal. In contrast, in Kim et al., the processor, element number 62, is used to monitor the outputs of ADCs to detect the arrival of a transmitted signal. In particular, signal detection unit 62 identifies the start of a signal, e.g., an OFDM frame, and generates a control signal indicating signal detection (Paragraph 43 of the cited prior art). From the disclosure, ***the element number 62 of Kim et al. is focused on to identify the start of a signal; it fails to teach the processor is used for generating a noise-sampling instruction according to the detection information to retrieve the noise information from the RF signal.***

Fujita, teaches the SPREAD SPECTRUM SIGNAL RECEPTION APPARATUS. However, ***Fujita fails to teach the noise information is retrieved from a short inter-frame space in the RF signal.*** Although the examiner pointed that - Kim et al. disclose a RF gain control system in figure 6 thus making it analogous art since it is in the same field of endeavor; the Examiner assumed that the methods of the present invention and the cited prior art are the same.

In fact, in the present invention, the detection information is generated by detecting a time interval between two contiguous frames in the RF signal, and the detected time interval corresponds to a Short Inter-Frame Space (SIFS), which is the present invention focused on. In contrast, Kim et al., paragraph 42, disclose the levels of the outputs from ADCs detected by a detector. ***Kim et al. fails to teach it detects the Short Inter-Frame Space (SIFS) in a received signal and to retrieve therein the background noises of a communication environment for***

enabling a signal receiver to control the noises under a specific level while adjusting its gain value.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Fujita does not disclose each and every feature of Applicant's amended claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Fujita cannot be said to anticipate any of Applicant's amended claims under 35 U.S.C. § 102.

Neither Fujita nor Kim et al. disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious the amended claims.

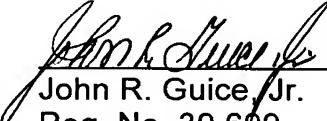
Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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